

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT WINCHESTER**

UNITED STATES OF AMERICA)	Case No. 4:23-cr-13
)	
v.)	District Judge Curtis L. Collier
)	Magistrate Judge Christopher H. Steger
JOHNNY BARBOUR)	

ORDER

United States Magistrate Judge Christopher H. Steger filed a report and recommendation recommending that the Court: (1) grant Defendant’s motion to withdraw his not-guilty plea to Counts Two and Three of the three-count Indictment; (2) accept Defendant’s guilty plea to Counts Two and Three of the three-count Indictment; (3) adjudicate Defendant guilty of Count One—possession with intent to distribute a mixture and substance containing a detectable amount of methamphetamine in violation of 21 U.S.C. §§ 841(a)(1) and 841(b)(1)(C), and Count Three—possession of a firearm in furtherance of a drug trafficking crime charged in Count Two in violation of 18 U.S.C. § 924(c)(1)(A)(i); and (4) order that Defendant remain in custody pending sentencing or further order of this Court. (Doc. 59.) Neither party filed a timely objection to the report and recommendation.

After reviewing the record, the Court agrees with Magistrate Judge Steger’s report and recommendation. Accordingly, the Court **ACCEPTS** and **ADOPTS** the Magistrate Judge’s report and recommendation (Doc. 59) pursuant to 28 U.S.C. § 636(b)(1) and **ORDERS** as follows:

1. Defendant’s motion to withdraw his not-guilty plea to Counts Two and Three of the three-count Indictment is **GRANTED**;
2. Defendant’s plea of guilty to Counts Two and Three of the three-count Indictment is **ACCEPTED**;

3. Defendant is hereby **ADJUDGED** guilty of Count One—possession with intent to distribute a mixture and substance containing a detectable amount of methamphetamine in violation of 21 U.S.C. §§ 841(a)(1) and 841(b)(1)(C), and Count Three—possession of a firearm in furtherance of a drug trafficking crime charged in Count Two in violation of 18 U.S.C. § 924(c)(1)(A)(i);
4. A decision on whether to accept the plea agreement is **DEFERRED** until sentencing; and
5. Defendant **SHALL REMAIN** in custody until further order of this Court or sentencing in this matter which is scheduled to take place before the undersigned on **June 4, 2025, at 2:00 p.m. [EASTERN]**.

SO ORDERED.

ENTER:

/s/

CURTIS L. COLLIER
UNITED STATES DISTRICT JUDGE